IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1124 of 2007()

SC.685/2004 of ADDL. SESSIONS COURT (FAST TRACK-II), ERNAKULAM

.....

: PETITIONER/ACCUSED:

1. RANJIT, S/O.KRISHNAN,
   VALIYAKATH VEETTIL, NEAR CHETUVA PALAM,
   ENGANDIYOOR.

2. VIBEESH, S/O.PADMANABHAN,
   NEDIYIRIPPIL VEETTIL, KADAPPURAM,
   CHAVAKKAD.

3. UPENDRAN, S/O.PRABHAKARAN,
   ACHI VEETTIL, THOTTAPU DESOM,
   ORIMANAYOOR, CHAVAKKAD.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENT/STATE:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADDL.DGP. SHRI V.K.MOHANAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - -

BAIL APPLICATION NO.1124 OF 2007

- - - - - - - - - ---------- - - - - -

DATED THIS THE 27th DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are accused Nos.6 to 8 in Crime No.313/02 of North Paravur Police Station for offences punishable under sections 143, 147, 148, 448, 120B , 324, 326 and 307 read with section 149 IPC, seek anticipatory bail.

2. Consequent on the non-appearance of the petitioners before the Additional Sessions Court (Fast Track -II), Ernakulam in S.C.No.685/04, non-bailable warrants of arrest are pending against them.

3. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioners should not surrender before the trial court and seek regular bail. Accordingly, if the petitioners surrender before the trial court, viz; Additional Sessions Court(Fast Track-II), Ernakulam and file an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which such applications are filed after examining the explanation offered by the petitioners for their previous non-appearance.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn